

SENATE BILL 3728

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 57  
and Title 67, relative to enforcement of certain  
alcoholic and sales tax offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-5-202, is amended by adding a new subsection thereto, as follows:

(d) Enforcement measures of the police and penal provisions of this chapter shall not include the surreptitious observation of individuals crossing the borders of Tennessee to purchase alcoholic beverages when the underlying offense is a Class C misdemeanor. Nothing in this subsection shall be construed to prevent or to interfere with enforcement of the provisions of this chapter if such enforcement does not include surreptitious observation of individuals making small purchases or involves a Class B misdemeanor or greater offense.

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 6, Part 5, is amended by adding a new section thereto, as follows:

Section 67-6-543. Enforcement measures of the police and penal provisions of this chapter shall not include the surreptitious observation of individuals crossing the borders of Tennessee to purchase tangible goods when the underlying offense is a Class C misdemeanor. Nothing in this subsection shall be construed to prevent or to interfere with enforcement of the provisions of this chapter if such enforcement does not include surreptitious observation of individuals making small purchases or involves a Class B misdemeanor or greater offense.

SECTION 3. Tennessee Code Annotated, Title 67, Chapter 4, Part 10, is amended by adding the following as a new section thereto, as follows:

67-4-1031. Enforcement measures of the police and penal provisions of this chapter shall not include the surreptitious observation of individuals crossing the borders of Tennessee to purchase tobacco products when the underlying offense is a Class C misdemeanor. Nothing in this subsection shall be construed to prevent or to interfere with enforcement of the provisions of this chapter if such enforcement does not include surreptitious observation of persons making small purchases or involves a Class B misdemeanor or greater offense.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.